

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A data communication system comprising:
a first terminal device ~~for transmitting~~ configured to transmit content and content provider identification data identifying the provider of ~~said the~~ the content;
a server device ~~for receiving and storing~~ configured to receive and store the transmitted content and content provider identification data; and
a second terminal device ~~which~~ configured to transmit user identification data to ~~said the~~ the server device, ~~which receives and stores said~~ configured to receive and store the content from ~~said the~~ the server device based on ~~said the~~ the user identification data, and ~~which reproduces~~ configured to reproduce the stored content upon detection of an incoming call;
wherein ~~said the~~ the server device stores first account information corresponding to ~~said the~~ the content provider identification data and second account information corresponding to ~~said the~~ the user identification data, ~~said the~~ the server device incrementing first amount information in ~~said the~~ the first account information when receiving ~~said the~~ the content from ~~said the~~ the first terminal device, ~~said the~~ the server device decrementing second amount information in ~~said the~~ the second account information when transmitting ~~said the~~ the content to ~~said the~~ the second terminal device.

2. (Currently Amended) A data communication system according to claim 1, wherein ~~said the~~ the first account information includes first account data

corresponding to ~~said~~ the content provider identification data and ~~said~~ the second account information includes second account data corresponding to ~~said~~ the user identification data;

wherein ~~said~~ the server device comprises a ~~communicating means for transmitting~~ communication unit configured to transmit ~~said~~ the first and ~~said~~ second account information to an external settlement center, ~~said~~ the server device thereby prompting ~~said~~ the external settlement center through the ~~said communicating means~~ communication unit to settle account balances corresponding to ~~said~~ the first account data based on the amounts represented by ~~said~~ the first amount information and to settle account balances corresponding to ~~said~~ the second account data based on the amounts represented by ~~said~~ the second amount information.

3. (Currently Amended) A data communication system according to claim 1, wherein ~~said~~ the second terminal device comprises:

a storing means unit for storing configured to store ~~said~~ the content transmitted from ~~said~~ the server device;

a reproducing means unit for retrieving configured to retrieve ~~said~~ the content from ~~said~~ the storing ~~means unit~~ and ~~reproducing~~ reproduce the retrieved content;

an incoming call detecting means unit for detecting configured to detect an incoming call from ~~either~~ a third terminal device; and

a controlling means unit which configured to, if ~~said~~ the incoming call detecting ~~means unit~~ detects an incoming call from ~~either~~ a third terminal device, ~~causes~~

cause the said reproducing means unit to reproduce said the content; ~~which proceeds~~
configured to establish a connection with ~~said other~~ the third terminal device in
response to an operation performed by a user while ~~said the~~ the content is being
reproduced; and ~~which terminates~~ configured to terminate the reproduction of ~~said the~~
content once ~~said the~~ connection with ~~said other~~ the third terminal device is established.

4. (Currently Amended) A data communication system according to
claim 3, wherein ~~said the~~ the server device makes a larger decrement in ~~said the~~ the second
amount information the greater the number of times ~~said the~~ the content has been
reproduced on ~~said the~~ the second terminal device.

5. (Currently Amended) A data communication system according to
claim 4, wherein ~~said the~~ the server device makes a larger decrement in ~~said the~~ the second
amount information the higher a reproduction volume of ~~said the~~ the content is on ~~said the~~ the
second terminal device.

6. (Currently Amended) A data communication system according to
claim 5, wherein ~~said the~~ the server device decrements ~~said the~~ the second amount information
only if the reproduction volume of ~~said the~~ the content on ~~said the~~ the second terminal device is
greater than zero.

7. (Currently Amended) A data communication system according to
claim 5, wherein ~~said the~~ the second terminal device comprises:

~~a counting means unit for counting configured to count~~ the number of times ~~said the~~ content has been reproduced by ~~said the~~ reproducing means ~~unit~~; and

~~an accumulating means unit for accumulating configured to accumulate~~ the reproduction volume in effect whenever ~~said the~~ content is reproduced by ~~said the~~ reproducing means ~~unit~~;

wherein, in each predetermined period of time, ~~said the~~ controlling means ~~unit~~ takes a counting result of ~~said the~~ counting means ~~unit~~ as the number of times ~~said the~~ contents have been reproduced and transmits the number of times to ~~said the~~ server device; ~~said and the~~ controlling means ~~unit~~ takes a division result of dividing an accumulation result of ~~the~~ accumulating means ~~unit~~ by the counting result as a content reproduction volume and transmits the content reproduction volume to ~~said the~~ server device.

8. (Currently Amended) A data communication system according to claim 1, wherein ~~said the~~ server device selects ~~those of said~~ user identification data from ~~said the~~ second terminal device ~~which complies with~~ based upon distribution conditions applicable to ~~said the~~ content transmitted from ~~said the~~ first terminal device, ~~said and the~~ server device ~~further transmitting said~~ transmits the content to the second terminal device ~~from which the selected user identification data has been received~~.

9. (Currently Amended) A data communication system according to claim 1, wherein ~~said the~~ server device returns a content list ~~of said content to said to~~ the second terminal device in response to access therefrom; and

wherein ~~said~~ the second terminal device has a selecting means unit for selecting configured to select from the content list a content desired to be downloaded.

10. (Currently Amended) A data communication system according to claim 1, wherein ~~said~~ the second terminal device comprises a delete inhibit controlling means unit for ~~inhibiting~~ configured to inhibit deletion of a content transmitted from ~~said~~ the server device.

11. (Currently Amended) A data communication system according to claim 1, wherein ~~said~~ the content is music data.

12. (Currently Amended) A data communication system according to claim 1, wherein ~~said~~ the content is promotion video data.

13. (Currently Amended) A data communication system according to claim 1, wherein ~~said~~ the provider is a content sponsor.

14. (Currently Amended) A data communication system according to claim 1, wherein ~~said~~ the second terminal device is comprises a mobile communication terminal device.

15. (Currently Amended) A data communication system according to claim 1, wherein ~~said~~ the second terminal device comprises a plurality of portable telephones.

16. (Withdrawn) A server device comprising:

communicating means for receiving from a first terminal device content and content provider identification data identifying the provider of said content;

storing means for storing the content received through said communicating means in correspondence with said content provider identification data; and

controlling means for transmitting said content through said communicating means to a second terminal device based on user identification data received from said second terminal device;

wherein said storing means stores first account information corresponding to said content provider identification data and second account information corresponding to said user identification data; and

wherein said controlling means increments first amount information in said first account information when receiving said content from said first terminal device through said communicating means, and decrements second amount information in said second account information when transmitting said content to said second terminal device through said communicating means.

17. (Withdrawn) A server device according to claim 16, wherein said first account information includes first account data corresponding to said content provider identification data and said second account information includes second account data corresponding to said user identification data;

wherein said communicating means transmits said first and said second account information to an external settlement center thereby prompting said external settlement center to settle account balances corresponding to said first account data based on the amounts represented by said first amount information and to settle account balances corresponding to said second account data based on the amounts represented by said second amount information.

18. (Withdrawn) A server device according to claim 16, wherein said controlling means makes a larger decrement in said second amount information the greater the number of times said content has been reproduced on said second terminal device.

19. (Withdrawn) A server device according to claim 18, wherein said controlling means makes a larger decrement in said second amount information the higher a reproduction volume of said content is on said second terminal device.

20. (Withdrawn) A server device according to claim 19, wherein said controlling means decrements said second amount information only if the reproduction volume of said content on said second terminal device is greater than zero.

21. (Withdrawn) A server device according to claim 16, wherein said controlling means selects those of said user identification data from said second terminal device which complies with distribution conditions applicable to said content transmitted from said first terminal device, said controlling means further causing said communicating means to transmit said content to the second terminal device from which the selected user identification data has been received.

22. (Withdrawn) A server device according to claim 16, wherein said controlling means returns a list of said content to said second terminal device in response to access therefrom.

23. (Withdrawn) A server device according to claim 16, wherein said content is music data.

24. (Withdrawn) A server device according to claim 16, wherein said content is promotion video data.

25. (Withdrawn) A server device according to claim 16, wherein said provider is a content sponsor.

26. (Currently Amended) A communication terminal device comprising:

~~a communicating means unit for transmitting configured to transmit~~ user identification data to a server device and ~~exchanging exchange~~ call data with ~~said the~~ server device;

~~a storing means unit for storing configured to store~~ content which is offered by content provider and ~~which is transmitted from said the~~ server device in accordance with ~~said the~~ user identification data;

~~a reproducing means unit for reproducing configured to reproduce said the~~ content; and

~~a controlling means unit which retrieves configured to retrieve said the~~ content from ~~said the~~ storing means unit upon detection of incoming call data, ~~and~~ ~~causes cause~~ ~~said the~~ reproducing means unit to reproduce the retrieved content, ~~and~~ ~~cause the communicating unit to transmit to the server device a reproducing condition of the content reproduced by the reproducing unit.~~

27. (Currently Amended) A communication terminal device according to claim 26, wherein ~~said the~~ controlling means unit causes ~~said the~~ reproducing means unit to reproduce ~~said the~~ content upon detection of ~~said~~ incoming call data from ~~either a~~ ~~second~~ terminal device; proceeds to establish a connection with ~~said other the second~~ terminal device in response to an operation performed by a user while ~~said the~~ content is being reproduced; and terminates the reproduction of ~~said the~~ content once ~~said the~~ connection with ~~said other the second~~ terminal device is established.

28. (Currently Amended) A communication terminal device according to claim 27, wherein ~~said~~ the controlling ~~means~~ unit causes ~~said~~ the communicating ~~means~~ unit to transmit to ~~said~~ the server device the number of times ~~said~~ the content has been reproduced by ~~said~~ the reproducing ~~means~~ unit.

29. (Currently Amended) A communication terminal device according to claim 28, wherein ~~said~~ the controlling ~~means~~ unit causes ~~said~~ the communicating ~~means~~ unit to transmit to ~~said~~ the server device a volume of ~~said~~ the content reproduced by ~~said~~ the reproducing ~~means~~ unit.

30. (Currently Amended) A communication terminal device according to claim 29, further comprising:

a counting means unit ~~for counting configured to count~~ the number of times ~~said~~ the content has been reproduced by ~~said~~ the reproducing ~~means~~ unit; and

an accumulating means unit ~~for accumulating configured to accumulate~~ the reproduction volume in effect whenever ~~said~~ the content is reproduced by ~~said~~ the reproducing ~~means~~ unit;

wherein, in each predetermined period of time, ~~said~~ the controlling ~~means~~ unit takes a counting result of ~~said~~ the counting ~~means~~ unit as the number of times ~~said~~ the contents have been reproduced and transmits the number of times to ~~said~~ the server device; ~~said~~ and the controlling ~~means~~ unit takes a division result of dividing an accumulation result of the accumulating ~~means~~ unit by the counting result as a content

reproduction volume and transmits the content reproduction volume to ~~said~~ the server device.

31. (Currently Amended) A communication terminal device according to claim 26, wherein ~~said~~ the controlling ~~means~~ unit causes ~~said~~ the communicating ~~means~~ unit to transmit to ~~said~~ the server device a request signal requesting ~~said~~ the server device to transmit a content list ~~of said content~~; and

~~said~~ the communication terminal device further ~~comprising~~ comprises a selecting ~~means~~ unit ~~for selecting~~ configured to select a content desired to be downloaded from the content list transmitted from ~~said~~ the server device in response to ~~said~~ the request signal.

32. (Currently Amended) A communication terminal device according to claim 26, further comprising a delete inhibit controlling ~~means~~ unit ~~for inhibiting~~ configured to inhibit deletion from ~~said~~ the storing ~~means~~ unit of a content transmitted from ~~said~~ the server device.

33. (Currently Amended) A communication terminal device according to claim 26, wherein ~~said~~ the content is music data.

34. (Currently Amended) A communication terminal device according to claim 26, wherein ~~said~~ the content is promotion video data.

35. (Currently Amended) A communication terminal device according to claim 26, wherein ~~said~~ the provider is a content sponsor.

36. (Currently Amended) A communication terminal device according to claim 26, wherein ~~said~~ the communication terminal device ~~is~~ comprises a mobile communication terminal device.

37. (Original) A communication terminal device according to claim ~~36~~ 26, wherein ~~said~~ the communication terminal device ~~is constituted by~~ comprises a plurality of portable telephones.

38. (Original) A data communication method comprising the steps of:
allowing a first terminal device to transmit to a server device a content and content provider identification data identifying the provider of said content;

allowing a second terminal device to transmit user identification data to said server device;

allowing said server device to receive and store said content, said content provider identification data, and said user identification data;

allowing said server device which stores first account information corresponding to said content provider identification data and second account information corresponding to said user identification data; to increment first amount information in said first account information when receiving said content from said first terminal device; to transmit said content to said second terminal device based on said

user identification data; and to decrement second amount information in said second account information upon transmission of said content to said second terminal device;

allowing said second terminal device to receive and store the transmitted content; and

allowing said second terminal device to reproduce said content upon detection of an incoming call.

39. (Original) A data communication method comprising the steps of:

allowing a server device to receive from a first terminal device a content and content provider identification data identifying the provider of said content, and to receive and store user identification data from a second terminal device; and

allowing said server device which stores first account information corresponding to said content provider identification data and second account information corresponding to said user identification data; to increment first amount information in said first account information when receiving said content from said first terminal device; to transmit said content to said second terminal device based on said user identification data; and to decrement second amount information in said second account information upon transmission of said content to said second terminal device.

40. (Currently Amended) A data communication method comprising

the steps of:

allowing a communication terminal device to transmit user identification data to a server device;

allowing ~~said~~ the communication terminal device to store a content ~~which~~
is offered by a content provider and ~~which is~~ transmitted from ~~said~~ the server device in
accordance with ~~said~~ the user identification data; ~~and~~

allowing ~~said~~ the communication terminal device to retrieve the stored
content upon detection of incoming call data and to reproduce the retrieved content; and

allowing the communication terminal device to transmit a reproducing
condition of the retrieved content to the server device.

41. (Withdrawn) A storage medium which stores a data communication
method program comprising the steps of:

allowing a server device to receive from a first terminal device a content
and content provider identification data identifying the provider of ~~said~~ content, and to
receive and store user identification data from second terminal device; and

allowing said server device which stores first account information
corresponding to said content provider identification data and second account
information corresponding to said user identification data; to increment first amount
information in said first account information when receiving said content from said first
terminal device; to transmit said content to said second terminal device based on said
user identification data; and to decrement second amount information in said second
account information upon transmission of said content to said second terminal device.

42. (Currently Amended) A storage medium which stores a data
communication method program, the method comprising the steps of:

allowing a communication terminal device to transmit user identification data to a server device;

allowing ~~said~~ the communication terminal device to store a content ~~which~~ is offered by a content provider and ~~which~~ is transmitted from ~~said~~ the server device in accordance with ~~said~~ the user identification data; and

allowing ~~said~~ the communication terminal device to retrieve the stored content upon detection of incoming call data and to reproduce the retrieved content; and

allowing the communication terminal device to transmit a reproducing condition of the retrieved content to the server device.